

Per'd PCT/PTO 29 APR 2005  
I H-146-US  
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## Declaration For Patent Application

### 特許出願宣言書

### Japanese Language Declaration

### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者（下記の名称が複数の場合）であると信じています。

上記発明の明細書は、

- 本書に添付されています。  
 \_\_\_\_ 月 \_\_\_\_ 日に提出され、米国出願番号または特

許協定条約国際出願番号を

\_\_\_\_\_ とし、

（該当する場合）\_\_\_\_\_ に訂正されました。

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。継続願書一部分を含む資料案内は前回の願書記入日から、米国願書または国際特許協定条約継続願書記入日の間に入手できます。

As a below-named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

3-BENZOYL-2,4,5-SUBSTITUTED PYRIDINE  
DERIVATIVES OR SALTS THEREOF, AND FUNGICIDES  
CONTAINING THEM

the specification of which

- is attached hereto.  
 was filed on October 28, 2003

as United States Application Number or PCT  
International Application Number

PCT/JP03/13785 and was amended on  
\_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

# **Japanese Language Declaration**

## (日本語宣言書)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

単独発明者または第 1 の共同発明者の氏名 <i>1-00</i>		Full name of sole or first inventor <u>Hisaya Nishide</u>
発明者署名	日付	Inventor's signature <i>Hisaya Nishide</i> Date <i>April, 1, 2005</i>
国籍	Citizenship Japan	



第三の共同発明者（該当する場合） <i>3-oo</i>	Full name of third joint inventor, if any <u>Toyoshi Tanimura</u>
第三発明者の署名	Third inventor's signature <i>Toyoshi Tanimura</i>
国籍	Citizenship Japan
第四の共同発明者（該当する場合） <i>4-oo</i>	Full name of fourth joint inventor, if any <u>Koji Higuchi</u>
第四発明者の署名	Fourth inventor's signature <i>Koji Higuchi</i>
国籍	Citizenship Japan
第五の共同発明者（該当する場合） <i>5-oo</i>	Full name of fifth joint inventor, if any <u>Hidemasa Kominami</u>
第五発明者の署名	Fifth inventor's signature <i>Hidemasa Kominami</i>
国籍	Citizenship Japan
第六の共同発明者（該当する場合） <i>6-oo</i>	Full name of sixth joint inventor, if any <u>Tomohiro Okamoto</u>
第六発明者の署名	Sixth inventor's signature <i>Tomohiro Okamoto</i>
国籍	Citizenship Japan
第七の共同発明者（該当する場合） <i>7-oo</i>	Full name of seventh joint inventor, if any <u>Akihiro Nishimura</u>
第七発明者の署名	Seventh inventor's signature <i>Akihiro Nishimura</i>
国籍	Citizenship Japan
第八の共同発明者（該当する場合）	Full name of eighth joint inventor, if any
第八発明者の署名	Eighth inventor's signature
国籍	Citizenship
第九の共同発明者（該当する場合）	Full name of ninth joint inventor, if any
第九発明者の署名	Ninth inventor's signature
国籍	Citizenship
第十の共同発明者（該当する場合）	Full name of tenth joint inventor, if any
第十発明者の署名	Tenth inventor's signature
国籍	Citizenship

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SINGLE ASSIGNEE  
CASE SPECIFIC POWER OF ATTORNEY

<p><b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM and STATEMENT UNDER 37 CFR 3.73(b)</b></p>	Application Number	
	Filing Date	
	First Named Inventor	Hisaya Nishide
	Title:	3-BENZOYL-2,4,5-SUBSTITUTED PYRIDINE DERIVATIVES OR SALTS THEREOF, AND FUNGICIDES CONTAINING THEM
	Attorney Docket Number:	

I hereby appoint:	
<input checked="" type="checkbox"/> Practitioners associated with the Customer Number	
<b>22850</b>	
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.	
Please recognize or change the correspondence address for the above-identified application to:	
<input checked="" type="checkbox"/> The address associated with the above-mentioned Customer Number.	
I am the:	
<input checked="" type="checkbox"/> Assignee of record of the entire interest. See 37 CFR 3.71.	
Ishihara Sangyo Kaisha, Ltd. _____, a _____ corporation (Name of Assignee) _____ (Type of Assignee, e.g., corporation, partnership, government agency, etc.) _____	
<input checked="" type="checkbox"/> States that it is the assignee of the entire right, title, and interest. A copy of the assignment is attached.	
<b>SIGNATURE OF ASSIGNEE OF RECORD</b>	
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.	
<u>Fujio Tamura</u> Signature	
Fujio Tamura Printed or Typed Name	
President Title	
April 14, 2005 Date	
06-6444-5814 Telephone Number	
<b>THIS FORM CAN ONLY BE SIGNED WHERE THERE IS ONLY A SINGLE ASSIGNEE</b>	

**COPY**

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**Assignment of Application**INSERT NAMES  
AND RESIDENCE  
ADDRESS OF  
THE INVENTORS:WHEREAS, I (WE) Hisaya Nishide of Kusatsu-shi, Shiga, Japan,Munekazu Ogawa of Kusatsu-shi, Shiga, Japan,Toyoshi Tanimura of Kusatsu-shi, Shiga, Japan,Koji Higuchi of Kusatsu-shi, Shiga, Japan,Hidemasa Kominami of Kusatsu-shi, Shiga, Japan,Tomohiro Okamoto of Kusatsu-shi, Shiga, Japan andAkihiro Nishimura of Kusatsu-shi, Shiga, JapanINSERT TITLE OF  
INVENTION:have invented certain new and useful improvements in: 3-BENZOYL-2,4,5-SUBSTITUTED PYRIDINE  
DERIVATIVES OR SALTS THEREOF, AND FUNGICIDES CONTAINING THEM

(Application No. \_\_\_\_\_, filed \_\_\_\_\_), and

WHEREAS, Ishihara Sangyo Kaisha, Ltd.INSERT NAME  
AND ADDRESS OF  
COMPANY OR  
OTHER ASSIGNEE(hereinafter referred to as "ASSIGNEE") having a place of business at: 3-15, Edobori 1-chome, Nishi-ku, Osaka-shi,  
Osaka 550-0002 Japan is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of 1940 Duke Street, Alexandria, Virginia 22314 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: April, 1, 2005

*Hisaya Nishide*  
(Signature of Inventor) Hisaya Nishide

Date: April, 1, 2005

*Munekazu Ogawa*  
(Signature of Inventor) Munekazu Ogawa

Date: March, 30, 2005

*Toyoshi Tanimura*  
(Signature of Inventor) Toyoshi Tanimura

Date: March, 30, 2005

*Koji Higuchi*  
(Signature of Inventor) Koji Higuchi

Date: March, 30, 2005

*Hidemasa Kominami*  
(Signature of Inventor) Hidemasa Kominami

Date: April 4, 2005

*Tomohiro Okamoto*  
(Signature of Inventor) Tomohiro Okamoto

**OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.**  
ATTORNEYS AT LAW  
1940 DUKE STREET  
ALEXANDRIA, VIRGINIA 22314

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of 1940 Duke Street, Alexandria, Virginia 22314 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: April 1, 2005

Akihiro Nishimura  
(Signature of Inventor) Akihiro Nishimura

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Inventor)

**OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.**  
ATTORNEYS AT LAW  
1940 DUKE STREET  
ALEXANDRIA, VIRGINIA 22314